

REMARKS/ARGUMENTS

Claims 1-8 are pending in the captioned application and are under Appeal. In the Examiner's Answer dated May 5, 2006, new grounds of rejection are presented. Applicants respectfully disagree. Applicants have amended claims 1 and 3 and cancelled claim 2. Applicants submit that the amended claims 1 and 3-8 are now in allowable form and earnestly solicit allowance of these claims.

Claims 1-8 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. The rejection is entirely focused on claim 1. The Examiner is of the opinion that the metes and bounds of "possibly are substituted with" and "electron withdrawing groups" are not clear. In response, Applicants have amended claim 1 to delete this language. Similar language in claim 3 has also been amended. Applicants submit that the amendments presented above render these rejections moot.

Claims 1-8 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. Applicants respectfully disagree.

In response, Applicants have amended claim 1 to include the limitations of claim 2 and have cancelled claim 2. Applicants submit that the amended claim 1, and the

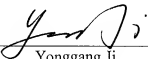
dependent claims thereof, are fully enabled. Applicants wish to direct the Examiner's attention to the paragraph bridging pages 16 and 17 of the specification. As stated in this paragraph, in the West buffer "the chromatograms indicated that all HSA applied and a part of the BSA applied were bound in West pH 4.6 (no HSA was eluted until PBS pH 7 was applied, one portion/peak of BSA eluted with West 4.6 and another with PBS pH 7)." Applicants submit that although ligand 11 is used in this example, it is not meant to be restricting. In fact, the specification provides detailed descriptions that enable the claimed invention (see page 10, line 19 through page 12, line 23; especially the paragraph bridging pages 10-11). Applicants clearly show that by operating at a pH where the ligand is charged, serum albumin bind to the ligand. Moreover, all HSA applied bind and a portion of BSA binds. In other words, Applicants demonstrated that we can separate BSA from HSA. Applicants also showed elution at pH 7, which explains the "weak interaction" referred to in the first passage on page 16. Thus, Applicants believe these descriptions and results clearly show our enablement for selectively removing or enriching albumin.

Thus, Applicants respectfully disagree with the Examiner that "the claimed invention is not deemed enabled," as Applicants respectfully assert that the results presented in the captioned application clearly and unambiguously demonstrate that they do.

In view of the foregoing, Applicants respectfully assert the Examiner's rejections cannot be sustained and should be withdrawn. Applicants believe that the claims, as amended, are in allowable form and earnestly solicit the allowance of claims 1 and 3-8.

Respectfully submitted,

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